

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Carol Goshay,

Civ. No. 08-5365 (PAM/SRN)

Petitioner,

v.

**ORDER**

Dwight Fondren – Warden,  
FCI-Sandstone,

Respondent.

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This matter is before the Court on Petitioner's objections to United States Magistrate Judge Susan R. Nelson's Report and Recommendation ("R&R") dated January 7, 2009. For the reasons that follow, the Court adopts the R&R and summarily dismisses the Petition.

Petitioner is currently incarcerated in the Federal Correctional Institution in Sandstone, Minnesota. He brought this petition pursuant to 28 U.S.C. § 2241, alleging a violation of his due process rights in the decision of a hearing officer ("DHO") that resulted in Petitioner's loss of good-time credits.

As Magistrate Judge Nelson found, the hearing process that resulted in the loss of good-time credits comported fully with the requirements of due process. Namely, Petitioner had notice of the charges against him and was afforded sufficient opportunity to be heard, including testifying at the hearing and taking an appeal from the DHO's decision. Magistrate Judge Nelson also determined that there was sufficient evidence to support the DHO's determination.

In his objections, Petitioner raises the same arguments that he raised before the Magistrate Judge. The Court has conducted the required de novo review of the R&R and determines independently that there was no violation of Petitioner's due process rights and that the evidence was sufficient to convict Petitioner of the disciplinary violation charged.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The R&R (Docket No. 7) is **ADOPTED**;
2. Petitioner's Application for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Docket No. 1) is **DENIED**;
3. This matter is **DISMISSED WITH PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: Thursday, February 26, 2009

*s/ Paul A. Magnuson*

Paul A. Magnuson  
United States District Court Judge